

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of

Rules and Regulations Implementing  
Minimum Customer Account Record  
Exchange Obligations on All Local and  
Interexchange Carriers

CG Docket No. 02-386

**COMMENTS OF BELL SOUTH CORPORATION**

**BELL SOUTH CORPORATION**

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BellSouth Corporation, by counsel and on behalf of itself and its wholly owned subsidiaries (collectively “BellSouth”), respectfully submits these comments in response to the *Notice of Proposed Rulemaking* (“NPRM”) in the above-captioned proceeding.<sup>1</sup>

**I. INTRODUCTION AND SUMMARY**

The central question in the *NPRM* is whether the Commission should replace the current voluntary industry standard process for exchanging customer information – known as Customer Account Record Exchange (“CARE”) – with a mandatory process applicable to all interexchange and local exchange carriers (“IXCs” and “LECs”).<sup>2</sup> The answer is yes.

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<sup>1</sup> *Rules and Regulations Implementing Minimum Customer Account Record Exchange Obligations on All Local and Interexchange Carriers*, CG Docket No. 02-386, *Notice of Proposed Rulemaking*, FCC 04-50 (rel. Mar. 25, 2004) (“NPRM”).

<sup>2</sup> *NPRM*, ¶ 1.

As discussed more fully herein, BellSouth recommends that the Commission take the following actions:

First, the Commission should require all IXC, competitive local exchange carriers (“CLECs”), and incumbent local exchange carriers (“ILECs”) to participate in CARE in accordance with the standards developed by the Order and Billing Forum (“OBF”) of the Alliance for Telecommunications Industry Solutions (“ATIS”).

Mandatory participation in CARE would require notification between providers regarding activities affecting a customer’s long distance service (*e.g.*, presubscribed interexchange carrier (“PIC”) changes, PIC additions, PIC disconnects) and changes to customer account information.

Second, the Commission should not require compliance with the overly detailed standards and codes as proposed by AT&T, Sprint, and WorldCom (“Joint Petitioners”). Mandating the use of particular codes would be counter to the realities of the way carriers utilize CARE today and would constitute unjustified micromanagement of the CARE process by the Commission.

Third, the Commission should not adopt performance standards for CARE. BellSouth believes that requiring IXCs, CLECs, and ILECs to participate in CARE in accordance with industry-developed guidelines will significantly improve the exchange of information among carriers and minimize the adverse effects on customers.

Finally, BellSouth urges the Commission to expand the obligations to exchange end user account information beyond presubscription for interexchange services. Specifically, the Commission should require CLECs and ILECs to share customer record information for changes involving a customer’s local service. The exchange of customer

account information between carriers when a customer is switching local providers is no less important than the exchange of information when a customer is selecting or changing long distance providers.

**II. THE DUTY TO COMPLY WITH MANDATORY MINIMUM CARE STANDARDS SHOULD APPLY EQUALLY TO IXCS, CLECS, AND ILECS.**

BellSouth supports the adoption of mandatory minimum CARE standards, as long as any new information exchange requirements apply equally to IXC's, CLEC's, and ILEC's. The record makes clear that the relief sought by IXC's stems from the failure of CLEC's, not incumbent LEC's, to participate in the established CARE process.<sup>3</sup> ILEC's have exchanged necessary customer information since the break-up of the Bell System and the advent of presubscription for interexchange service. This process has worked well between ILEC's and IXC's and continues to work well today. Notwithstanding this long-standing cooperation between IXC's and ILEC's, BellSouth believes that mandatory participation in the CARE process by IXC's, CLEC's, and ILEC's will provide the consistency sought within the industry and reduce the number of customer complaints involving billing errors.<sup>4</sup> Accordingly, the Commission should mandate that all IXC's, CLEC's, and ILEC's must engage in the exchange of customer account information using standard industry procedures and codes for CARE.

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<sup>3</sup> See, e.g., Petition for Rulemaking to Implement Mandatory Minimum Customer Account Record Exchange Obligations on All Local and Interexchange Carriers, filed by AT&T, Sprint and WorldCom, at 3 (filed Nov. 22, 2002) ("Joint Petition"); BellSouth Comments, CG 02-386, at 2, Verizon Comments at 2 (filed Jan. 21, 2003).

<sup>4</sup> *NPRM*, ¶ 9.

However, in establishing this obligation, the Commission should explicitly find that carriers are not required to implement standardized mechanized systems in order to participate in CARE. As explained more fully in Section III. below, there are a number of different methods by which customer account information can be exchanged, and the Commission should not dictate a particular method across the industry.

In addition, the duty to share accurate end user account information in a timely manner should not be limited to LECs. There are instances in which an IXC, not the LEC, possesses the information necessary to facilitate proper customer billing for PIC changes. For example, if a customer contacts an IXC directly to establish long distance service, the LEC providing local service has no way of knowing that the IXC has been selected as the presubscribed carrier in the absence of notification from that IXC. Thus, IXCs are not always recipients of customer account information. There are clear instances in which IXCs are the source of information that must be shared with LECs to ensure proper customer billing. The obligation to share end user account information therefore must be reciprocal. Since IXCs, CLECs, and ILECs each have a stake in ensuring accurate billing for establishing, discontinuing, or changing service, it is reasonable to require all of these providers to participate in the CARE process.

**III. THE COMMISSION SHOULD REQUIRE PROVIDERS TO FOLLOW THE CARE STANDARDS DEVELOPED BY THE INDUSTRY RATHER THAN ADOPT THE JOINT PETITIONERS' EXCESSIVE AND OVERLY BROAD PROPOSAL.**

BellSouth strongly opposes the extensive CARE standards and detailed codes advocated by the Joint Petitioners. Their proposal goes well beyond “minimum” standards and does not represent a “minimum” baseline of information that should be

exchanged between providers. The proposed list of Transaction Code/Status Indicators (“TCSIs”)<sup>5</sup> far exceeds the information necessary to accomplish PIC changes and provide IXC’s with appropriate customer account information for billing purposes. Moreover, mandating the use of particular codes would be counter to the realities of the way carriers utilize CARE today and would constitute unjustified micromanagement of the CARE process by the Commission.

Thus, rather than adopt specific CARE codes, the Commission should require carriers to participate in CARE and exchange information in accordance with industry-developed standards and guidelines. As the Commission recognizes, ATIS OBF has already established guidelines and industry recommendations for the standardized exchange of customer account information between IXC’s and LECs in a document entitled the Equal Access Subscription Customer Account Record Exchange Industry Support Interface (“CARE/ISI”).<sup>6</sup> The CARE/ISI document details the processes that should be followed and identifies the required data that should be transmitted when exchanging customer information. Clearly, the industry has done significant work to develop standards to facilitate the exchange of accurate and necessary customer information between and among providers, and the Commission should not undermine this cooperation by mandating its own set of standards.

The Commission’s reliance on industry-approved guidelines and recommendations has worked effectively in a number of other contexts. For example,

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<sup>5</sup> A Transaction Code (“TC”) describes the nature or purpose of the data being exchanged, while a Status Indicator (“SI”), which is unique to each TC, provides specific details associated with a certain TC.

<sup>6</sup> See *NPRM*, ¶ 16.

rather than adopting detailed specifications to govern thousands-block number pooling, the Commission directed providers to follow the industry-approved guidelines for number pooling.<sup>7</sup> Similarly, the Commission incorporated by reference into its rules, guidelines and standards developed by the industry to accommodate number portability.<sup>8</sup> Thus, it is completely reasonable for the Commission to require providers to comply with industry-approved standards governing the exchange of customer account information.

Reliance on industry guidelines is far more reasonable than mandatory compliance with the fixed CARE standards and codes proposed by the Joint Petitioners. Carriers should not be required to provide information just because it would be nice for the IXC's to have. Truly minimum standards would limit information that must be shared to that which is necessary to ensure accurate billing. The following are just a few examples of business scenarios that should trigger the exchange of CARE information between carriers.

1. A local service provider must notify the IXC selected as the presubscribed carrier when a customer establishes new local service.<sup>9</sup>
2. A local service provider must notify the IXC selected as the presubscribed carrier when a customer changes his presubscribed long distance carrier.
3. A local service provider must notify the presubscribed IXC when a customer removes that IXC as the presubscribed carrier.
4. A local service provider must notify the presubscribed IXC when a customer disconnects his local service.

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<sup>7</sup> *Numbering Resource Optimization*, CC Docket No. 99-200, *Report and Order and Further Notice of Proposed Rulemaking*, 15 FCC Rcd 7574, 7657-58, ¶ 183 (2000).

<sup>8</sup> See 47 C.F.R. § 52.26(a).

<sup>9</sup> Information exchanged for a PIC change must include whether the change is for the interLATA or intraLATA service, or both.



5. If an IXC is contacted directly by a customer to establish service, the contacted IXC must notify the LEC providing local service to the customer that the contacted IXC has been selected as the presubscribed carrier.
6. If a PIC order is rejected by a local service provider, the local service provider must notify the IXC and provide a reason for the rejection.
7. A local service provider must notify an IXC when a customer is porting a telephone number to a new provider.
8. A local service provider must supply the billing name and address upon the request of an IXC.

The defined business scenarios above represent just a sample of the events that BellSouth believes necessitate the exchange of required CARE information between carriers.

To minimize burdens on the industry as well as small and rural carriers, the Commission should not adopt the set of TCSI codes proposed by the Joint Petitioners. As an initial matter, the Joint Petitioners' assertion that all of the proposed TCSI codes are "critical to customer care and the carrier selection process"<sup>10</sup> is dubious. BellSouth has not received any complaints from the Joint Petitioners to date, despite the fact that BellSouth's internal systems do not support a number of the TCSIs listed in the Joint Petition.

More than 700 different TCSI codes have been developed by the industry through OBF. Given the large number of TCSI codes that currently exist, a carrier must be afforded the discretion to determine which codes to support based upon its internal systems. To BellSouth's knowledge, no carrier supports each and every one of the

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<sup>10</sup> Joint Petition at 7.

available codes. For example, BellSouth only supports a little more than one third of the over 700 TCSI codes in existence today.

Typically, there are multiple TCSI codes that provide the same bottom-line information. For example, if an end user selects a certain IXC as his presubscribed carrier, there are approximately 35 CARE TC 20XX codes that could be used by a LEC to notify the IXC selected as the presubscribed carrier. All 35 of these codes indicate in some fashion or another that the end user has selected that IXC. Some options available to the LEC include:

1. 2003 - End user selected Access Customer through provider
2. 2004 - Confirmation of Access Customer initiated order
3. 2005 - End user selected Access Customer through provider - moving
4. 2008 - End user selected Access Customer through provider - new service

As the example above illustrates, some codes provide additional detail as to the reason for the PIC selection or how the PIC selection was made; however, they all convey the same basic information to an IXC – an end user has selected that IXC as his presubscribed carrier. Again, while it might be helpful for an IXC to know that the PIC selection was made when an end user moved to a new location, the reason for the PIC change is not essential to facilitate accurate billing.<sup>11</sup>

It also is important to note that the TCSI codes used by carriers typically have been agreed upon through contract or other negotiated means. Mutually agreed-upon codes and procedures are based upon the needs of the individual parties involved. BellSouth, for example, is negotiating constantly with carriers to refine or modify TCSI codes to accommodate the changing business needs of carriers. This flexibility is critical

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<sup>11</sup> It should be noted that customer name and billing information must be exchanged through CARE independent of the TCSI codes selected.

in this rapidly changing communications marketplace. Because the adoption of fixed CARE codes would undermine the ability of the industry to adapt quickly to change and to tailor processes to suit the needs of individual providers, the Commission should not mandate compliance with specific TCSI codes.

Nor should the Commission dictate the methods by which CARE information is exchanged between carriers. Carriers should retain the flexibility to transmit information in a manner that best suits their needs and is compatible with their internal systems and size. Today, CARE information is exchanged in a variety of ways: (1) Network Data Mover Connect: Direct (the CARE batch system); (2) Internet/web-based systems; (3) tapes; (3) paper; (4) email; and (5) fax. Each of these transmission methods is detailed in the CARE/ISI document referenced above and constitutes an acceptable means of participating in CARE. Carriers should have the discretion to negotiate mutually acceptable methods of exchanging CARE information. This flexibility will help ensure that no carrier (large or small) is unduly burdened by mandatory participation in CARE.

#### **IV. THE COMMISSION SHOULD NOT REQUIRE LECS TO PROVIDE IXCS WITH INFORMATION CONCERNING CUSTOMER SELECTIONS OF NEW LOCAL SERVICE PROVIDERS.**

The Commission asks whether “all LECs that no longer serve a particular end user customer be required, upon the request of a long distance carrier, to indicate which other carrier is providing local service to that customer.”<sup>12</sup> The answer is no. In some instances, a LEC may not know who the new local service provider for a particular end

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<sup>12</sup> *NPRM*, ¶ 12.

user customer is. A provider should not be expected to share information it does not have.

Moreover, the Joint Petitioners' request for this type of information arguably is prohibited under Section 222 of the Communications Act of 1934, as amended. Section 222 requires carriers to protect the confidentiality of carrier and customer proprietary information.<sup>13</sup> A rule that would require a LEC to identify to an IXC the new local provider selected by a customer would violate Section 222. Accordingly, the only responsibility of the old local service provider in the CARE process should be to notify the presubscribed IXC that the end user no longer receives local service from the old provider.<sup>14</sup>

**V. THE COMMISSION SHOULD NOT ESTABLISH PERFORMANCE MEASUREMENTS FOR THE EXCHANGE OF CARE INFORMATION.**

BellSouth objects to the adoption of performance thresholds for timeliness, accuracy, or completeness.<sup>15</sup> First, there is no need to establish performance standards for the CARE process. The Commission's enforcement authority is sufficient to protect carriers and consumers. The absence of performance measures does nothing to diminish the Enforcement Bureau's ability to investigate charges of noncompliance with or nonparticipation in the CARE process. If a carrier is not complying with the minimum

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<sup>13</sup> 47 U.S.C. §§ 222(a), (b).

<sup>14</sup> BellSouth submits that this notification can be accomplished through the use of TCSI 222X. The new local service provider should notify the appropriate IXC with a 20XX TCSI when the end user selects an IXC as the presubscribed carrier.

<sup>15</sup> See *NPRM*, ¶ 16.

CARE standards as mandated by the Commission, that carrier would be subject to fines, penalties, and/or sanctions.

Second, mandating performance measures for CARE would be premature. BellSouth believes strongly that requiring all providers to participate in CARE will significantly improve the exchange of information among carriers and reduce the negative impact on customers. The Commission should allow carriers time to implement and adjust to any new CARE requirements. If, after the rules have been in place for some time, there is evidence of problems with timeliness or other compliance, the Commission can revisit performance metrics.

If the Commission, however, were to establish performance standards, such standards should apply evenly to all carriers. As explained above, IXCs, CLECs, and ILECs all have a responsibility to share basic customer account information with one another.

In addition, should the Commission find performance metrics necessary, it should not adopt the thresholds proposed by the Joint Petitioners. The proposed standards are unreasonable and do not reflect the technical realities of how orders are processed. For example, the one to two day timeframes suggested as the threshold for notification are unreasonably short.<sup>16</sup> Both a mechanized and manual process can take between one and three days depending upon the time the order was placed and the complexity of the order.

Finally, if performance standards are established, the Commission should preempt the states from establishing measures for the exchange of customer account information. A single set of national measures would avoid inconsistent metrics across the nation.

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<sup>16</sup> See Joint Petition, Appendix A at 8.

**VI. THE COMMISSION SHOULD REQUIRE THE EXCHANGE OF CUSTOMER ACCOUNT INFORMATION BETWEEN LECS FOR CHANGES INVOLVING LOCAL SERVICE.**

The *NPRM* clearly reflects the Commission's concern about the timely exchange of accurate customer information between LECs and IXC's when customers select or switch long distance providers. The sharing of necessary customer information, however, is not limited to changes involving presubscribed IXC's. The exchange of end user account information between LECs is equally critical when a customer is switching local service providers. Consequently, as the Commission considers establishing minimum CARE standards to facilitate the transfer of information between IXC's and LECs, the Commission also should consider adopting similar customer account information exchange requirements applicable to changes involving local service providers. Cooperation between LECs in the sharing of customer record information is no less important in this arena.

Similar problems experienced by IXC's are shared by ILEC's in the local exchange market. Today, CLEC's do not exchange customer account information in any uniform manner with ILEC's when customers switch local service providers. For example, BellSouth has experienced instances in which CLEC's provide incomplete, untimely, and in some instances, no information at all when end users seek to switch their local service to BellSouth. The result is often delayed service for the customer and/or double billing.

To minimize customer confusion and complaints and to facilitate the timely exchange of accurate information between LECs, BellSouth urges the Commission to require all LECs to comply with minimum standards for the exchange of customer record information for changes involving local service. These standards should parallel those

that have been established for the exchange of information between ILECs and CLECs under the Section 251 proceedings over the past several years, and should include, at a minimum, the following:

1. Each LEC should be required to provide on-line electronic access to its existing customer service records;
2. Each LEC should be required to return any clarification of a Local Service Request within one business day; and
3. Each LEC should be required to return a Firm Order Confirmation for each complete and correct order within one business day.

## **VII. CONCLUSION**

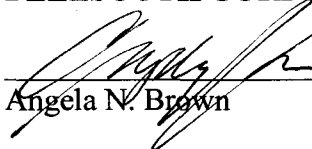
To ensure that the process for the exchange of customer account information is equitable, the Commission must balance the interests of all stakeholders (customers, IXC's, CLECs, and ILECs) and recognize that all providers have a responsibility to exchange customer account information in a timely manner. To that end, BellSouth urges the Commission to mandate that IXC's, CLECs, and ILECs must participate in the exchange of customer record information as defined in the OBF CARE/ISI document developed by the industry. BellSouth also requests that the Commission expand its information exchange requirements to cover changes involving local service providers.

Finally, the Commission should not adopt performance measures applicable to the CARE process.

Respectfully submitted,

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## **CERTIFICATE OF SERVICE**

I do hereby certify that I have this 3<sup>rd</sup> day of June 2004 served a copy of the foregoing  
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